

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** Chair Elsie Arntzen, on March 11, 2011 at 8:00 AM, in Room 303 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Elsie Arntzen, Chairman (R)  
Rep. Chuck Hunter, Vice Chairman (D)  
Rep. Carlie Boland (D)  
Rep. Christy Clark (R)  
Rep. Virginia Court (D)  
Rep. Lila Walter Evans (R)  
Rep. Timothy Furey (D)  
Rep. Edward Greef (R)  
Rep. Harry Klock (R)  
Rep. Pat Noonan (D)  
Rep. Michele Reinhart (D)  
Rep. Matthew M. Rosendale Sr (R)  
Rep. Daniel R. Salomon (R)  
Rep. Sterling Small (R)  
Rep. Cary Smith (R)  
Rep. Gordon Vance (R)  
Rep. Jeffery W. Welborn (R)

**Members Excused:** Rep. Tom Berry, Vice Chairman (R)  
Rep. Jonathan McNiven (R)  
Rep. Scott Reichner (R)  
Rep. Carolyn Squires (D)

**Members Absent:** None

**Staff Present:** Bart Campbell, Legislative Branch  
Sandra Sullivan, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 601, 3/4/2011; SB 223, 3/4/2011; SB 287, 3/4/2011; SB 341, 3/4/2011; SB 29, 3/4/2011

**HEARING ON HB 601**

**Opening Statement by Sponsor:**

00:05:32 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 601, Revise business and labor law to limit use of credit history in employment.

**Proponents' Testimony:**

00:06:50 Shelbi Dantick, Montana Public Interest Research Group (Mont PIRG)

[EXHIBIT\(buh55a01\)](#)

**Opponents' Testimony:**

00:09:04 Jessie Luther, Consumer Data Industry Association  
00:11:46 Rep. Squires and Rep. McNiven arrived.  
00:14:00 Bruce Spencer, Montana Automobile Dealers Association and Montana State Bar Association  
00:17:19 Steve Turkiewicz, Montana Bankers Association  
00:18:28 Brad Griffin, Montana Retail Association  
00:19:03 Ronda Wiggers, Great Falls Chamber of Commerce  
00:21:07 Rep. Reichner arrived.  
00:21:16 Jon Bennion, Montana Chamber of Commerce  
00:22:00 Dwight Easten, Farmers Insurance Group  
00:23:04 Mick Karls, Rocky Mountain Credit Union  
00:24:21 Clyde Dailey, Montana Credit Union Network

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:25:20 Chairwoman Arntzen  
00:25:30 Ms. Luther  
00:26:14 Chairwoman Arntzen  
00:26:20 Ms. Luther  
00:27:02 Vice Chairman Hunter  
00:27:23 Ms. Luther  
00:27:52 Rep. Reinhart  
00:28:14 Ms. Luther  
00:28:56 Chairwoman Arntzen  
00:29:11 Mr. Griffin  
00:29:58 Rep. McNiven  
00:30:31 Mr. Karls

**Closing by Sponsor:**

00:31:16 Rep. Edmunds

**HEARING ON SB 29****Opening Statement by Sponsor:**

00:33:45 Sen. Lynda Moss (D), SD 26, opened the hearing on SB 29, Mandatory alcohol server and sales training.

**Proponents' Testimony:**

00:43:10 Darbie Morigeau, Responsible Alcohol Server and Sales Trainer  
00:45:58 Ivy McGowan, Bartender and Responsible Alcohol Server and Sales Trainer  
00:49:28 Rep. Reichner, Rep. Boland and Rep. Furey left.  
00:51:32 Kris Minard, Citizen  
00:53:06 Tawny Haynes, Citizen  
00:55:47 Rep. Boland returned.  
00:57:35 Jim Smith, Montana Sheriffs and Peace Officers Association  
00:58:33 Lewis Smith, Powell County Attorney  
01:00:38 Col. Michael Tooley, Chief Administrator, Montana Highway Patrol (MHP)  
01:02:59 John Larsen, Montana Common Sense Coalition

**EXHIBIT(buh55a02)**

01:05:58 Don Judge, Montana Nurses' Association  
01:09:03 Mr. Griffin, Executive Director, Montana Restaurant Association  
01:12:36 Mark Staples, Montana Tavern Association  
01:14:17 Neil Peterson, Gaming Industry Association  
01:15:50 Ronna Alexander, Montana Convenience Store Association  
01:19:48 Tony Herbert, Montana Brewers Association  
01:20:28 Rebecca Sturdevant, Mothers Against Drunk Driving (MADD)

**EXHIBIT(buh55a03)****Opponents' Testimony:**

01:23:21 Mike Fellows, Montana Libertarian Party

**Informational Testimony:**

01:24:27 Shawna Helfert, Administrator, Liquor Control Division, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

01:24:50 Rep. Reinhart  
01:25:22 Ms. Helfert, DOR  
01:26:24 Rep. Reinhart  
01:26:36 Ms. Helfert  
01:26:46 Rep. Reinhart  
01:26:59 Ms. Helfert  
01:28:01 Rep. Reinhart  
01:28:23 Sen. Moss

**EXHIBIT(buh55a04)**

01:30:43 Rep. Reinhart  
01:30:55 Sen. Moss  
01:31:04 Ms. Helfert  
01:31:37 Rep. Reinhart  
01:31:41 Ms. Helfert

01:31:50 Vice Chairman Hunter  
01:32:41 Ms. Helfert  
01:33:16 Vice Chairman Hunter  
01:33:26 Ms. Helfert  
01:33:57 Rep. Welborn  
01:34:53 Mr. Griffin  
01:35:53 Rep. Welborn  
01:36:20 Mr. Griffin  
01:36:47 Rep. Welborn  
01:37:16 Ms. Helfert  
01:38:26 Chairwoman Arntzen  
01:38:46 Ms. Helfert  
01:39:52 Chairwoman Arntzen  
01:40:05 Ms. Helfert  
01:41:03 Chairwoman Arntzen  
01:41:12 Ms. Helfert  
01:41:23 Chairwoman Arntzen  
01:41:29 Ms. Helfert  
01:41:56 Chairwoman Arntzen  
01:42:05 Ms. Helfert  
01:42:40 Chairwoman Arntzen  
01:42:57 Ms. Helfert  
01:44:37 Chairwoman Arntzen  
01:44:52 Ms. Helfert  
01:45:31 Rep. McNiven  
01:47:03 Ms. Helfert  
01:47:47 Rep. McNiven  
01:48:18 Ms. Helfert  
01:48:33 Mr. Staples  
01:50:40 Rep. McNiven  
01:51:20 Ms. Helfert  
01:51:28 Mr. Griffin  
01:52:02 Rep. McNiven  
01:52:22 Ms. Helfert  
01:52:30 Rep. McNiven  
01:52:55 Ms. Helfert  
01:53:03 Rep. McNiven  
01:53:57 Sen. Moss  
01:54:19 Mr. Staples  
01:56:16 Rep. McNiven  
01:56:47 Col. Tooley, MHP  
01:57:03 Rep. Clark  
01:57:28 Mr. Griffin  
01:57:40 Rep. Clark  
01:57:51 Ms. Helfert  
01:58:33 Rep. Clark  
01:58:38 Ms. Helfert  
01:58:42 Rep. Boland  
01:59:25 Mr. Staples  
02:00:12 Rep. Squires

02:00:33 Ms. Helfert  
02:00:41 Rep. Squires  
02:00:54 Mr. Smith  
02:02:36 Rep. Squires  
02:02:42 Mr. Smith  
02:04:22 Rep. Squires  
02:05:29 Mr. Smith  
02:06:17 Rep. Squires  
02:06:39 Mr. Smith  
02:07:05 Rep. Squires

**Closing by Sponsor:**

02:07:54 Sen. Moss

02:11:30 Meeting recessed.  
02:29:33 Meeting resumed.

**HEARING ON SB 223****Opening Statement by Sponsor:**

02:30:05 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 223, Revise volunteer firefighter pensions.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

02:34:37 Melanie Symons, Montana Public Employee Retirement Administration

**Questions from Committee Members and Responses:**

02:35:27 Rep. Squires  
02:35:54 Ms. Symons  
02:36:00 Rep. Squires  
02:36:22 Ms. Symons  
02:36:50 Rep. Squires  
02:37:34 Ms. Symons  
02:38:20 Rep. Squires  
02:38:48 Ms. Symons  
02:39:01 Rep. Squires  
02:39:27 Sen. Zinke  
02:40:49 Rep. Squires

**Closing by Sponsor:**

02:41:42 Sen. Zinke

**HEARING ON SB 287**

**Opening Statement by Sponsor:**

02:43:49 Sen. Jim Keane (D), SD 38, opened the hearing on SB 287, Require certain corporate officers or managers of LLC's to obtain work comp.

**Proponents' Testimony:**

02:46:19 J.D. Lynch, Montana State Building and Construction Trades

02:46:44 Jerry Keck, Administrator, Employment Relations Division, Department of Labor and Industry (DLI)

**EXHIBIT(buh55a05)**

02:49:04 Bob Worthington, Co-Vice Chair Management, Labor-Management Advisory Council (LMAC)

02:49:48 Jason Miller, Co-Vice Chair Labor, LMAC

02:51:21 Steve Wade, Montana Contractors Association

02:52:05 Riley Johnson, National Federation of Independent Businesses

02:53:08 Chris Cavazos, Montana American Federation of Labor-Congress of Industrial Organizers (AFL-CIO)

02:53:24 Keith Allen, Local 233, International Brotherhood of Electrical Workers

02:53:40 Vicki Cocchiarella, Citizens

02:55:36 John Forkan, Montana State Association of Plumbers and Pipefitters

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:56:23 Rep. Clark

02:56:50 Mr. Keck, DLI

02:57:39 Rep. Clark

02:57:53 Mr. Keck

**Closing by Sponsor:**

02:58:24 Sen. Keane

**HEARING ON SB 341**

**Opening Statement by Sponsor:**

03:00:01 Sen. Frederick (Eric) Moore (R), SD 20, opened the hearing on SB 341, Revise certain unemployment insurance charges to employers.

**Proponents' Testimony:**

03:05:06 Errol Rice, Montana Stock Growers Association

03:05:52 Mr. Bennion

**Opponents' Testimony:**

03:06:11 Roy Mulvaney, Administrator, Unemployment Insurance Division, DLI

03:09:07 Mr. Allen  
03:11:00 Mr. Lynch  
03:12:38 Mr. Cavazos, AFL-CIO  
03:13:09 Mr. Forkan  
03:13:40 Mr. Miller

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

03:15:12 Vice Chairman Hunter  
03:16:07 Mr. Mulvaney, DLI  
03:16:23 Vice Chairman Hunter  
03:16:36 Mr. Mulvaney  
03:16:41 Vice Chairman Hunter  
03:17:21 Mr. Mulvaney  
03:17:36 Vice Chairman Hunter  
03:18:14 Rep. Smith left.  
03:18:45 Mr. Lynch  
03:19:17 Rep. Rosendale  
03:19:48 Mr. Mulvaney  
03:20:10 Rep. McNiven  
03:21:02 Mr. Mulvaney  
03:21:32 Rep. McNiven  
03:22:39 Mr. Mulvaney  
03:23:32 Rep. McNiven  
03:23:41 Rep. Clark  
03:24:36 Mr. Rice  
03:25:34 Rep. Squires  
03:27:48 Mr. Rice  
03:27:56 Rep. Squires  
03:27:57 Mr. Rice  
03:28:32 Rep. Squires

**Closing by Sponsor:**

03:28:51 Sen. Moore

**ADJOURNMENT**

11:34:00      Adjournment

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Sandra Sullivan, Secretary

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Additional Documents:

**EXHIBIT**([buh55aad.pdf](#))